

**MINUTES OF THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 8, 1998

DIVISION ONE

B105315 People (Not for Publication)
v.
Jones & Square

The judgment is reversed as to appellant Jones and affirmed as to appellant Square.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

[illegible]

The judgment is affirmed.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
Masterson, J.

B107916 Los Angeles Scrap Iron & Metal Corp. (Not for Publication)
v.
Courtaulds Aerospace, Inc., et al.

We affirm the judgment. Respondents are entitled to their costs.

Ortega, Acting P.J.

We concur: Masterson, J.
Dunn, J. (Assigned)

January 8, 1998-Continued

DIVISION ONE (Continued)

B113564 People (Not for Publication)

V.

Irving

The judgment is affirmed.

Ortega, J.

We concur: Spencer, P.J.
Vogel (Miriam A.), J.

DIVISION TWO

B107612 People (Not for Publication)

V.

Contreras

The Court:

The judgment is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

B108300 People (Not for Publication)

V.

Holt

The Court:

The judgment is modified by striking one of the five-year prior serious felony enhancements imposed pursuant to section 667, subdivision (a). In all other respects, the judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

January 8, 1998-Continued

DIVISION TWO (Continued)

B109584 People (Not for Publication)
v.
Hite

The Court:

The order re-imposing the \$10,000 restitution fine is affirmed.

Boren, P.J., Fukuto, J., Zebrowski, J.

B111726 People (Not for Publication)
v.
Johnson

The Court:

The judgment is affirmed.

Boren, P.J., Nott, J., Zebrowski, J.

[illegible]

The judgment is affirmed.

Zebrowski, J.

We concur: Boren, P.J.
 Fukuto, J.

January 8, 1998-Continued

DIVISION TWO (Continued)

B109384 Kramer (Not for Publication)

V.
Cotchett, et al.

The judgment is affirmed.

Zebrowski, J.

We concur: Boren, P.J.
 Nott, J.

B104615 Yazdanshenas (Not for Publication)

V.
American International Bank

The judgment is reversed, and the matter is remanded for further proceedings. Appellant to recover his costs on appeal.

Zebrowski, J.

We concur: Boren, P.J.
 Fukuto, J.

B104486 Olivera (Not for Publication)

v.
Torrance Unified School District, et al.

The judgment of the trial court remanding the matter to the Commission for reconsideration of the penalty imposed is reversed. The parties are to bear their own costs on appeal.

Zebrowski, J.

We concur: Boren, P.J.
 Fukuto, J.

DIVISION FOUR

[illegible]

The judgment is affirmed.

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

[illegible]

The judgment is affirmed.

Hastings, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

B069565 Loder (Not for Publication)
v.
City of Glendale

For the foregoing reasons, plaintiff is awarded attorney fees on appeal in the sum of \$67,393.75, and the matter is remanded with the following directions: The trial court shall vacate the injunction previously issued in this case and enter a new and different order enjoining the City of Glendale's drug testing program insofar as it applies to all current employees who have been offered a promotion to another position and otherwise denying the injunctive relief sought by plaintiff; the trial court shall determine, in accord with this opinion, the amount of attorney fees to which plaintiff is entitled from the commencement of this case, including trial and pretrial proceedings, through May of 1992. Plaintiff to have her costs on appeal. (Cal. Rules of Court, rule 26.)

Vogel (C.S.), P.J.

We concur: Epstein, J.
Hastings, J.

January 8, 1998-Continued

DIVISION FIVE

B112637 People (Not for Publication)
v.
Allen Venable

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
Godoy Perez, J.

[illegible]

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Godoy Perez, J.

[illegible]

The judgment is affirmed.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION FIVE (Continued)

B105427 Majid Barghi (Not for Publication)

v.

Westec Security, Inc. et al.

The judgment is reversed. The trial court is directed to vacate its order granting summary judgment in favor of Westec and Ball and issue a new order granting only summary adjudication in favor of Ball on Barghi's claim for relief under Title VII. On remand, Barghi is limited to pursuit of hostile work environment damages based on ethnic and religious slurs. He is precluded from pursuing his claims based on disparate treatment and wrongful termination. Westec and Ball are to pay Barghi's costs on appeal.

Grignon, J.

We concur: Turner, P.J.

Godoy Perez, J.

B111007 People (Not for Publication)

v.

Anna Brown

The judgment is affirmed.

Grignon, Acting P.J.

We concur: Armstrong, J.

Godoy Perez, J.

B112173 People (Not for Publication)

v.

Pedro Gomez

The judgment is affirmed.

Turner, P.J.

We concur: Grignon, J.

Armstrong, J.

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Simpson, J. (Assigned), and Emma Jean Amos, Deputy Clerk.

Each of the following:

B100076 People v. Gornick
B103950 People v. Olguin
B105169 People v. McFarlin & Gittens
B105614 People v. Tovar
B106136 People v. Moe
B106288 People v. Mix
B107252 People v. Shell
B107561 People v. Soto
B108251 People v. Brown
B108284 People v. Ross
B108369 People v. Truong
B108670 People v. Domitilo A.
B108999 People v. Hayes
B109040 People v. Zamudio
B109471 People v. Allen
B109630 People v. Herd
B109817 People v. Franklin
B109854 People v. Nieto & Hammer
B110054 People v. Sarkisyan
B110967 People v. Ramirez
B111036 People v. Williams
B111101 People v. Richard W.
B111010 People v. Jones
B111257 People v. Castro
B111599 People v. Rodriguez
B111654 People v. Reindl
B113541 People v. Ismael L.
B105634 People v. Post
B107229 People v. Caliendo
B104653 Johnson v. State of Calif. Youthful Offender
B116054 Richard N. v. D.C.F.S
B116233 Rosemary C. v. D.C.F.S.
B111569 Mulhearn v. Nolan

Argument waived, cause submitted.

DIVISION SEVEN (Continued)

B109225 Martin
 v.
 Martin

Merits:

Argued by Marvin Martin, appellant in propria persona, and no appearance by respondent. Cause submitted.

B106804 People
 v.
 Chambers

Merits:

Argued by Gregory Cannon for appellant and by David Cook, deputy attorney general, for respondent. Cause submitted.

B109829 Chao
 v.
 Chen

Merits:

Argued by Kang-Shen Chen, in propria persona, and by Ekwan E. Rhow for respondent. In open court appellant's request to file a late brief is denied. Cause submitted.

B103652 People
 v.
 Conn, Prevost and Weaver

Merits:

Argued by Brian Sun for appellant and by David Glassman, deputy attorney general, for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B109886 People
 v.
 Sarkisyan

Merits:
Argued by Victor Morse for appellant and by Tracey Letteau, deputy attorney general, for respondent. Cause submitted.

B105612 People
 v.
 Hadden

Merits:
Argued by Richard Beada for appellant and by Tracey Letteau, deputy attorney general, for respondent. Cause submitted.

B107717 People
 v.
 Lee

Merits:
Argued by Catherine Campbell for appellant and by Lauren Dana, deputy attorney general, for respondent. Cause submitted.

B110610 People
 v.
 Garcia

Merits:
Argued by Diana Summerhayes, deputy district attorney for appellant and by Robert Derham for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B105922 Washington
 v.
 Eells

Merits:

Argued by Thomas Eells, in propria persona and by Charles Fonarow for respondent. Cause submitted.

B103203 People v. Gonzalez
B116738 In re Gonzalez on Habeas Corpus

Oral argument continued to March 5, 1998, at 9:00 am.

B110173 Williams
 v.
 Briggs

Oral argument continued to February 5, 1998, at 10:00 am.

B109513 People
 v.
 Adame

Oral argument continued to February 5, 1998, at 9:00 am.

B107786 Cheeks
 v.
 California Fair Plan

Merits:

Argued by Nicholas Weimer for appellant and by Brad Child for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B099555 Miller
 v.
 Signature Funding Group

Oral argument continued to March 5, 1998, at 2:00 p.m.

B112486 Vons Companies
 v.
 Hartman

Merits:
Argued by Larry Fields for petitioner and by Karin Gomez for respondent.
Cause submitted.

B109857 Bostean
 v.
 Los Angeles Unified School District

Merits:
Argued by Arnie Braafladt for appellant and by Belinda Stith for
respondent. Cause submitted.

The Court recessed.

The Court reconvened at 2:00 P.M.

Present: Lillie, P.J., Johnson, J., Woods, J., Neal, J., Simpson, J. (Assigned), and Emma Jean Amos, Deputy Clerk.

B102996 Tillery
 v.
 Keenan & Associates

Merits:
Argued by Bruce Graham for appellants and by Sylvia Havens for
respondent. Cause submitted.

DIVISION SEVEN (Continued)

B089203 Cal-Style Furniture
 v.
 American Motorist Ins.

Merits:

Argued by Stephen Blaine for appellants and by Bruce Celebrezze for respondent. No appearance by Michael Bell. Cause submitted.

B099979 American Motorist Ins.
 v.
 Quackenbush

Merits:

Argued by Bruce Celebrezze for appellant and by W. Dean Freeman, deputy attorney general and Arthur Levine for respondents. Submission deferred pending the filing of supplemental briefs.

Court adjourned.

B099702 People
 v.
 Martinez

Filed order denying petition for rehearing.